

REMARKS

Entry of the foregoing amendments and reconsideration of this application are respectfully requested in view of the following remarks. No new matter has been added.

Claim Rejections – 35 USC 103

Claims 1-10, 17, 27, 34, and 46-48 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 2001/0029353 to Peterson (“Peterson”) in view of U.S. Patent No. 6,869,395 to Page et al. (“Page”). Claim 18 was rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson in view of Page and in further view of U.S. Patent No. 4,498,902 to Ash et al. (“Ash”). Claims 20 and 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson in view of Page and in further view of U.S. Patent No. 6,875,219 to Arramon et al. (“Arramon”). Claims 19, 22, 23, and 28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson in view of Page and in further view of WO 98/36785 to Stouder (“Stouder”). Claims 29, 32, 33, 37-41, 44, and 45 were rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson in view of U.S. Patent No. 5,695,475 to Best Jr. et al. (“Best”). Claims 42 and 43 were rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson in view of Best and Stouder and in further view of Arramon.

Independent claim 1 has been amended to recite “a wedge disposable within the lumen of the first hollow member, the wedge slides between positions including a first position in which the wedge is disposed entirely within the lumen of the first hollow member and is spaced from the second hollow member and a second position in which the wedge is disposed entirely within the lumen of the first hollow member and contacts the first hollow member and second hollow member to wedge the members together to inhibit relative axial movement of the two members.” It does not appear that the cited references, alone or in proper combination, teach of a wedge that slides within a lumen of a hollow member to wedge the hollow member to another hollow member as recited in independent claim 1. Accordingly, the Applicant respectfully submits that independent claim 1 and the claims that depend therefrom are allowable in view of the cited references.

Independent claim 29 has been amended to recite “the groove having a longitudinal portion and at least three notches.” It does not appear that the cited references, alone or in proper

combination, teach of a groove as recited in independent claim 29. Specifically, it appears that the device of Best only discloses two notches that are used for specific functions of the device (in one location for delivering the vaccination and in the second location to retract the needle to a location within the outer sleeve). See col. 3, Ins., 41-53. Additionally, it does not appear that the other cited references disclose a groove as recited in independent claim 29. Accordingly, the Applicant respectfully submits that independent claim 1 and the claims that depend therefrom are allowable in view of the cited references.

Conclusion

In view of the foregoing, the Applicant respectfully submits that no further impediments exist to the allowance of this application and, therefore, requests an indication of allowability. The Examiner, however, is invited to call the undersigned if any questions or comments arise. It is believed that all of the pending claims have been addressed. The absence, however, of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as intended to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

If necessary, please charge any deficiencies or credit overpayment to Deposit Account No. 50-3521, referencing Attorney Docket No. 0073-140001.

Respectfully submitted,

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